

Response to First Office Action
Docket No. 020.0340.US.CON

REMARKS

Claims 1-85 are pending. Claims 1, 6, 13, 18, 21, 25, 30, 33, 46, 49, 62, 65, 74, 77, 81, and 85 have been amended. Claims 1-85 remain in the application. No new matter has been introduced.

5 The specification stands subject to objection under 37 C.F.R. 1.75(d)(1) as failing to provide proper antecedent basis for the claimed subject matter. The specification has been amended per the Examiner's suggestions. In addition, Claims 1, 13, 25, 33, 49, 65, 77, 81, and 85 have been amended. Withdrawal of the objection is respectfully requested.

10 Claims 1-85 stand rejected under 35 U.S.C. §112 as being indefinite. Claims 1, 6, 13, 21, 18, 25, 30, 33, 46, 49, 62, 65, 74, 77, 81, and 85 have been amended. Support for the amendments can be found in the specification on page 15, line 5 through page 19, line 13 and page 32, line 4 through page 33, line 19. No new matter has been introduced. Withdrawal of the rejection under 35 U.S.C. §112 is respectfully requested.

15 Claims 1-85 stand rejected under the judicially-created doctrine of obviousness-type double patenting over Claims 1-85 of commonly-assigned U.S. Patent No. 6,368,284, issued April 9, 2002 to Bardy. A Terminal Disclaimer is enclosed. Withdrawal of the rejection for double-patenting is respectfully
20 requested.


The prior art made of record and not relied upon has been reviewed by the applicant and is considered to be no more pertinent than the prior art references already applied.

25 Claims 1-85 are believed to be in condition for allowance. Entry of the foregoing amendments is requested and a Notice of Allowance is earnestly solicited. Please contact the undersigned at (206) 381-3900 regarding any questions or concerns associated with the present matter.

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Respectfully submitted,

5 Dated: November 22, 2004

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